

passing the Breast and Cervical Cancer Mortality Prevention Act. This law authorized a breast and cervical cancer-screening program for low income, uninsured or underinsured women through the Center for Disease Control (CDC). Since its inception, the program has screened more than 500,000 women. Unfortunately, that is not enough. This program fails to provide any federal resources to pay for treatment once women are diagnosed with breast or cervical cancer.

H.R. 4386, The Breast and Cervical Treatment Act is a bipartisan piece of legislation which would provide Medicaid assistance to treat low-income, uninsured or underinsured women diagnosed breast or cervical cancer. Under this bill, the low income, uninsured or underinsured women diagnosed under the CDC Program will now receive the necessary treatment they need and deserve.

In the last decade we have made great strides in fighting against breast and cervical cancers. I am pleased to support this bill because the passage of this legislation today will give many women who were once hopeless a fighting chance to survive this terrible disease.

Mr. BROWN of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I urge a yes vote, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BARRETT of Nebreska). All time for debate has expired.

Pursuant to House Resolution 628, the previous question is ordered.

The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS).

The motion was agreed to.

A motion to reconsider was laid on the table.

#### PROVIDING FOR CORRECTIONS IN ENROLLMENT OF H.R. 5164, TRANSPORTATION RECALL ENHANCEMENT, ACCOUNTABILITY, AND DOCUMENTATION (TREAD) ACT

Mr. UPTON. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 428), providing for corrections in the enrollment of the bill (H.R. 5164) amending title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 428

*Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill, H.R. 5164, entitled "An Act to amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes", the Clerk of the House of Representatives*

shall make the following corrections in section 6:

(1) insert before "Section 30120(c)" the following: "(a) REMEDY PROGRAM.—"; and

(2) insert at the end of section 6 the following:

"(b) REIMBURSEMENT PRIOR TO RECALL.—Section 30120(d) of title 49, United States Code, is amended by inserting at the end thereof the following: "A manufacturer's remedy program shall include a plan for reimbursing an owner or purchaser who incurred the cost of the remedy within a reasonable time in advance of the manufacturer's notification under subsection (b) or (c) of section 30118. The Secretary may prescribe regulations establishing what constitutes a reasonable time for purposes of the preceding sentence and other reasonable conditions for the reimbursement plan.".

Mr. UPTON. Mr. Speaker, This concurrent resolution authorizes the Clerk of the House to correct the enrollment of the bill, H.R. 5164, the TREAD Act. This legislation passed both the House and Senate without opposition yesterday.

Due to an inadvertent drafting error, a paragraph of the amendment offered by Mr. LUTHER in committee was deleted from the bill reported to the House, and left out of the bill subsequently passed by both the House and Senate. This provision, which addressed the reimbursement for repairs made prior to a recall, enjoyed broad bipartisan support and was always assumed to be part of the package passed by the House.

This concurrent resolution simply corrects this error, and I urge my colleagues to support it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H. Con. Res. 428.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### CONFERENCE REPORT ON H.R. 4392, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 626, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 626

*Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.*

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this rule provides for the consideration of the conference report on H.R. 4392, the Intelligence Authorization Act for Fiscal Year 2001. The rule waives all points of order against the conference report and against its consideration.

Further, the rule provides that the conference report shall be considered as read. This is the standard approach for conference reports, and this is a noncontroversial rule.

I urge all of my colleagues to support it. In addition, I strongly encourage my colleagues to support the conference report itself. While we will discuss the substance of the conference report during the general debate, this bill is extremely critical in terms of making sure our intelligence agencies have the capabilities needed to protect the United States and the lives of American citizens at home and abroad.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule allows for the consideration of the fiscal year 2001 intelligence conference report. This conference agreement is, in the main, not controversial. There is, however, concern about title VII of the conference agreement, which creates a new Public Interest Disclosure Act.

Mr. Speaker, as Members know, detailed information about the provisions contained in authorizations for the intelligence activities are for the most part classified. It is my understanding that there is little disagreement on the part of the House managers on the provisions of the conference agreement contained either in the statement of managers or in the classified annex. However, title VII, the new Public Interest Declassification Act, sets forth standards governing access to and protection of national security information and creates a new set of penalties relating to disclosure of classified information.

Both the gentleman from Illinois (Chairman HYDE) and the gentleman from Michigan (Mr. CONYERS), the ranking member of the Committee on the Judiciary, have expressed their grave reservations about these provisions and their implications on first amendment rights. Both the gentleman from Illinois (Chairman HYDE) and the gentleman from Michigan (Mr. CONYERS) have said that they should not

become law without full public hearings. However, since the Senate has already acted on this conference agreement, a motion to recommit the agreement to the conference has been precluded.

I would hope in the next Congress, the Committee on the Judiciary, in cooperation with the Select Committee on Intelligence will thoroughly examine these issues and, if necessary, make remedial changes to the provisions now found in title VII of the conference agreement.

Mr. Speaker, in the meantime, I urge Members to support this rule so that the House may proceed to the consideration of the conference report.

Mr. Speaker, I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider is laid on the table.

□ 1545

Mr. GOSS. Mr. Speaker, pursuant to House Resolution 626, I call up the conference report on the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to House Resolution 626, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 11, 2000 at page H9709.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DIXON) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present the conference report on the Fiscal Year 2001 Intelligence Authorization bill. I believe that hard work and careful deliberation has produced a first-rate bill that funds the critically important work of our intelligence community, and we are all reminded today just how critical that work is.

As has been the long-standing custom of the Permanent Select Committee on Intelligence, this conference report is a bipartisan product which reflects credit on our committee's members and its very highly professional staff, and I want to thank all involved.

This conference report authorizes funds for fiscal year 2001 intelligence-related activities, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. I just wanted to

take a moment to highlight several provisions of the conference report for the consideration of Members.

First, this conference report, I am happy to announce, includes Senator MOYNIHAN's "Public Interest Declassification Act of 2000." This legislation is an important first step in regaining control and putting some order to the government's declassification process, a subject of great interest to many Members. I want to commend Senator MOYNIHAN for his tireless work to encourage the appropriate and timely declassification of appropriate U.S. Government records.

Another initiative of note is language addressing the serious problem of leaks of classified information by U.S. Government officials. Mr. Speaker, leaking classified government information is not a right or a privilege of U.S. officials or employees who have access to that information. Too often over the past few years, we have significantly risked, and sometimes lost, fragile intelligence resources because those employed by the government and who have access to classified information have chosen to leak that information and, thus, have ignored their commitments to national security. Damage has been done.

The provision in this conference report simply states that, if one is a current or former government employee who had access to classified material that one has promised to protect, that one must live up to those obligations. If one does not, then one is going to be held accountable.

The provision is narrowly crafted to protect the rights that all Americans hold dear. It is not, as some will say, an affront to the first amendment. In fact, the Justice Department has reviewed the provision and finds no constitutional infirmity. They even support the provision. The committee has looked carefully at this provision. As George Tenet, the Director of Central Intelligence, has stated, "the administration leaks like a sieve." This must stop.

Mr. Speaker, although I expect some discussion about the provision I just mentioned, I do not want Members to lose sight of a key and important fact. Today's activities in the Middle East speak volumes, sad volumes, I am afraid to say, to the type of world that we now live in. The apparent attack on the U.S.S. *Cole* and the violence in Israel and Palestine are terrible reminders of how fragile our national security can be.

The only way to be ready to face the threats to our security, and that is the security of all Americans at home and abroad, is by having a vibrant first line of defense that provides indications and warning, and that is our intelligence community. This conference report directly helps to rebuild resources that were cut after the Cold War and ensures the protection of our rights and liberties now and in the future. It is carefully crafted.

Before I close, I want to mention one other important point. With the conclusion of this Congress, the committee will lose the talents of several valued Members who have either served out their terms on the committee or who have chosen to seek other opportunities.

The gentleman from California (Mr. LEWIS), our esteemed vice chairman, who also serves this body as the Chairman of the Subcommittee on Defense of the Committee on appropriations will rotate off the committee.

The gentleman from California (Mr. LEWIS) has been a tireless supporter of the committee and of the intelligence community. His insights and his opinions have been invaluable to me and to the committee. He has also been instrumental in ensuring that his subcommittee and the Permanent Select Committee on Intelligence work very closely together, which has benefitted this House in many ways. I thank the gentleman from California (Mr. LEWIS), and all Americans thank him for the work he has done.

In addition, I would like to recognize two other Members who will not be with the committee next year: the gentleman from Florida (Mr. MCCOLLUM) and the gentlewoman from California (Ms. PELOSI). They have each contributed in an important way to the committee's work, and we on the committee shall certainly miss them.

Also, I would be remiss if I did not mention the excellent work by staff on both sides of the aisle, and I say that from my heart. Their efforts have allowed for us to be here today with a good bipartisan product on a critical subject.

Mr. Speaker, this is a good and important piece of legislation. I urge my colleagues to support its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. DIXON. Mr. Speaker, I rise in support of this conference report, and because of a scheduling problem, I yield 4 minutes to the gentleman from Georgia (Mr. BISHOP), a very valuable Member of our committee.

Mr. BISHOP. Mr. Speaker, I thank the gentleman for yielding me this time. I want to thank the gentleman from Georgia (Mr. DIXON), the ranking member, and the gentleman from Florida (Mr. GOSS), the chairman, for the outstanding work that they have done and also the work of the staff which is so invaluable in helping us to come up with this work product.

Mr. Speaker, months ago, during the debate on the House Permanent Select Committee on Intelligence's reported authorization bill, I highlighted several very positive features of the bill and applauded the bipartisanship and the excellent cooperation in the work of the committee under the leadership of the chairman and the ranking member.

I am pleased to note that this conference report sustains the important initiatives and actions recommended in the House bill. This outcome, too, is

testament to the sound judgment and hard work of the committee leadership and, indeed, of all my colleagues on the committee.

During our meetings with the Senate, and our discussions with the administration, concern arose over a House proposal to require the National Reconnaissance Office to contract separately from the Air Force for the large rockets that carry our reconnaissance satellites into orbit.

The House Permanent Select Committee on Intelligence adopted this proposal after substantial investigations and hearings following the disturbing and costly string of launch failures and after several years of unjustified volatility in the NRO's launch budget.

The Subcommittee on Tactical and Technical Intelligence, on which I serve as ranking member, concluded that there would be greater accountability and sounder fiscal management if the NRO were assigned clearer responsibility for this aspect of its overall mission.

At the same time, I appreciate the concerns that this step could contribute to deterioration of the partnership between the Air Force and the NRO in managing U.S. national security space launch programs.

In this regard, I would cite the clear guidance in the statement of managers that we expect the NRO and the Air Force to continue working closely together, including negotiating contracts with industry together to ensure favorable prices.

I would add also that I expect the NRO's contract awards to provide appropriate support to DoD's policy of maintaining a competitive space launch industrial base. The NRO and the Air Force are of course subject to higher management authority, and the NRO director himself an Assistant Secretary of the Air Force. I would expect that DoD management could check any harmful centrifugal forces in the NRO-Air Force relationship.

Mr. Speaker, I will conclude by applauding the vigorous steps contained in the conference report to overcome serious management and resource problems at the National Security Agency and to improve the ability of the National Imagery and Mapping Agency to exploit and distribute imagery collected by satellites and aircraft. These agencies and their respective missions remain absolutely critical to diplomacy and military preparedness.

I think it is a great conference report. I think we are moving forward. I urge my colleagues and the House to adopt it. I think the committee has done a good job, and we have served our colleagues and the country well.

Mr. DIXON. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by complimenting the gentleman from Florida (Mr. GOSS), our chairman, for his hard work and his dedication, as reflected in this conference report, to meeting the needs of

the men and women who produce the intelligence on which policy makers and military commanders rely.

As adopted by the House, the intelligence authorization was one-tenth of one percent above the President's request. This conference report is below the House bill and two-tenths of one percent below the request. The primary reason for the reduction is that some of the items authorized in the House bill were funded several months ago in a supplemental appropriations measure.

The conference report, as did the supplemental appropriation bill, supports the transformation initiative that the Director of the National Security Agency, General Michael Hayden, has begun to implement. It is critical to the security of the United States that NSA be modernized.

General Hayden has developed a plan, which the committee generally supports. The modernization of NSA will not succeed, however, without the sustained, visible support of the most senior leaders of the Department of Defense and the intelligence community. To date, in terms of resource allocation, I have not seen evidence that the rebuilding of NSA is a top priority of the executive branch. I hope that this changes next year.

One of the shortcomings in the intelligence community, in my view, is that there is too much emphasis on collection and not enough on making sure that which is collected can be used. If it were possible to collect only important information, this imbalance would be inconsequential.

Our national technical means, however, collect volumes of information that must be analyzed to identify what is important, put in a usable form, and sent to those who need it.

Last year, Congress made clear its expectation that the new Future Imagery Architecture (FIA) would be an adequate balance between collection activities and TPED or tasking, processing, exploitation and dissemination activities. Congress was clear in the description of the consequences that would flow from an executive branch decision not to make TPED investments sufficient to utilize fully the collection capabilities of FIA. As the classified annex to this conference report makes clear, the resolve of Congress on this issue has not changed.

The conference agreement amends the Foreign Intelligence Surveillance Act (FISA) and the criminal code in ways that deserve some comment.

□ 1600

Among other things, the FISA amendments make clear that, in making a probable cause determination that a target was an agent of a foreign power, the court may consider past activities of the target. I am advised that the target's past activities have regularly been part of a probable cause determination. In this respect, the amendment represents a codification of current practice.

There have been suggestions that the amendment is needed to ensure that information once excluded from the probable cause determination merely because it was dated will now be considered. I believe that this is an incorrect interpretation of both the current practice and the effect of the amendment. Those facts which are relevant to determining the probability that a target is currently an agent of a foreign power should be considered. Those facts that are irrelevant, regardless of whether they are fresh or stale, should not be considered.

Section 304 makes the unauthorized disclosure of properly classified information acquired by a person who has, or had, authorized access to the information a felony, subject to 3 years imprisonment, when the disclosure is made willingly and knowingly to a person known not to have authorized access. I disapprove of the practice by which some individuals entrusted with access to classified information leak that information to unauthorized recipients, including members of the media. I share the frustration of those who open their daily newspapers only to see in print some of the most sensitive information in our government's possession. I have, however, grave concerns about the reach and the scope of section 304.

There are currently a variety of statutory and administrative prohibitions on the authorized disclosure of classified information. The fact that more leakers are not punished is not, and I stress is not, the result of too few prohibitions, it is the result of the great difficulty inherent in identifying the leakers. Section 304 adds another prohibition, unwisely in my judgment. It will not make it easier to identify the source of a leak.

Before our conference began, the gentleman from Florida (Mr. GOSS) and I received a letter from the chairman and ranking member of the Committee on the Judiciary urging the rejection of this provision. In their letter the gentleman from Illinois (Mr. HYDE) and the gentleman from Michigan (Mr. CONYERS) noted that by making all leaks subject to criminal penalties the provision "has profound First Amendment implications and goes to the very heart of the ability of the public to remain informed about matters of critical public interest which often relate to governmental misdeeds."

In conference, I offered an amendment to narrow the definition of classified information under section 304 to make sure that only leaks of information of substantial sensitivity would be punished under this provision. Other leaks would continue to be punishable under other statutes or administrative procedures. Although my amendment was approved by the House conferees, the Senate rejected it. I hope that in the next Congress the Committee on the Judiciary, in whose jurisdiction the issues raised by section 304 properly reside, will carefully examine the provision.

Last year's intelligence authorization act established a commission to examine the judicial review questions raised by the Foreign Narcotics Kingpin Designation Act. The commission was given one year from the date of enactment to review the current judicial, regulatory, and administrative authorities under which the United States blocks assets of foreign persons, and to provide a detailed constitutional examination and evaluation of remedies available to United States persons affected by the blocking of assets of foreign persons.

I had hoped that the commission might have completed its work in less than a year because of the great importance I attach to the resolution of the due process concerns raised by the drug kingpin legislation. Although it now appears the commission will need all of the time allocated, I look forward to its report and hope that it is dispositive of these concerns.

In closing, Mr. Speaker, I want to advise the House that two of our very constructive and important Members have served their eight year terms on the House Permanent Select Committee on Intelligence. The gentleman from California (Ms. PELOSI) and the gentleman from California (Mr. LEWIS), conclude their terms of service this year. I want to thank them for their many contributions to the committee's work over the past eight years. Their enthusiasm, insight, and perspective will be sorely missed.

I urge the adoption of the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE), the chairman of our Subcommittee on Technical and Tactical Intelligence.

Mr. CASTLE. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of the conference report for the Intelligence Authorization Act for fiscal year 2001.

Mr. Speaker, the gentleman from Florida (Mr. GOSS) and the ranking member, the gentleman from California (Mr. DIXON), are to be commended for the outstanding leadership they have provided to the intelligence community during these difficult times.

I would also like to recognize the efforts of our distinguished vice chairman, the gentleman from California (Mr. LEWIS), who will be rotating off our committee under our rules. His insights into the technical and distinctly military programs within the intelligence community have been very helpful for me in understanding our future needs. Likewise, as the chairman of the Subcommittee on Defense of the Committee on Appropriations, his explanations of the resource challenges facing the community are invaluable. I thank him for his service to our Nation's security.

As chairman of the Subcommittee on Technical and Tactical Intelligence, I

understand the critical need to invest in and modernize our technical intelligence systems. Although the investment in our intelligence community's infrastructure had declined over the years, and the strains were clearly showing through, we have responded in the past 6 years by making some very difficult but sound choices to ensure there are adequate future technical resources. This year's conference report continues to address some very substantial problems, but this is still only a beginning. We understand that providing the country with the capabilities it deserves and needs will take years and will require continued support from Congress.

Mr. Speaker, this conference report also provides our senior policymakers with sufficient capabilities and tools to advance our foreign policy, to enable strong leadership and proactive diplomacy, and to improve our military's advantage over its adversaries, if and when needed.

I am also pleased that we have incorporated a provision into this year's conference report to address a concern related to the National Reconnaissance Office and its launch program. This was the outcome of a series of meetings, briefings, and hearings for which I personally devoted a great deal of time. This provision has many benefits. One, it will improve the NROs and our ability to have insight and perform oversight into contracting launch services; two, it will allow us to hold the NROs more accountable for their activities; and, three, it could lead to significant savings for the government and American people.

I want to address an issue that has been raised regarding this important provision, and I want to make something very clear. There is nothing in this provision that precludes the Air Force and the NRO from continuing to work in a very close partnership. This includes continuing cooperation on the wide range of launch service activities and facilities that they share, as well as continuing potential block purchases for launch vehicles if the NRO believes this is in the best interest of the government.

Now, however, with this provision, the NRO will have insight into and better control of launch contracts that have not been there before. We expect that this added responsibility will ultimately result in a stronger partnership between these two organizations. It will certainly provide better budgeting of scarce intelligence resources.

Mr. Speaker, the conference report for the Intelligence Authorization Act for fiscal year 2001 is a responsible, reasonable, and appropriate request to fund our Nation's national security needs. The President, our policymakers, our military, and the people of the United States deserve nothing less. I ask the Members of the House to give it their full support.

Mr. DIXON. Mr. Speaker, I yield 5½ minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise as a member of the committee whose 8-year term is coming to an end there. At this time I would like to commend our distinguished chairman, the gentleman from Florida (Mr. GOSS), for his leadership, his fairness, and his willingness to listen to another point of view on the committee over these years. I thank him.

And to our ranking member, the gentleman from California (Mr. DIXON), we are also very proud of his service. As a Californian, I am particularly proud of his service as ranking member on the committee, and I hope to see him serve as chair in a very short time on this very important committee.

I would also like to commend the staff, I would say on both sides, but I really view it as a unified staff of the committee, who have served the Members so well and, in doing so, the community that we have oversight over.

Mr. Speaker, I have been impressed with the dedication and hard work of the men and women who work in the Nation's intelligence agencies and the amazing feats they can accomplish. They often provide our policymakers a decisive advantage in accomplishing our Nation's policy goals and national defense goals.

While I have been a member of the committee, I have been especially concerned about the issue of proliferation and how well the United States tracks and then prevents weapons proliferation, particularly weapons of mass destruction. I have often been dismayed how clear our evidence on proliferation can be and how slow our diplomatic response has been. We need to maintain a robust intelligence effort on proliferation, and the issue needs continued attention and oversight in the future.

I have also been deeply concerned over how counterintelligence investigations have been handled. I reject the notion that one American citizen is more likely to engage in espionage than another because of his or her particular ethnic background. We are a proud Nation strengthened by our immigration, and the rights of all our citizens must be respected.

Mr. Speaker, secrecy is, of course, one necessary element in the conduct of intelligence. Information that is necessary for us to counter proliferation, terrorism, and espionage often must be obtained secretly; and thus our sensitive sources and methods must be protected. Let us stipulate to that. We all want to protect our sources and methods. Yet I am concerned that the public interest is too often thwarted by too much classification of information and by maintaining classification for too long.

Last year, there were over 8 million classification actions; 10 percent more than the year before. Clearly, the system is not perfect; but even so, we were all troubled by leaks and by the damage they can cause. Nevertheless, I am

strongly opposed to the section of this legislation that would for the first time in our history enact an official secrets law.

We have to remember that those who violate the rules on handling classified information should be and are punished administratively. It is already a felony to disclose national defense information to foreign nations or their agents in order to injure the United States. Other felony laws protect specifically defined, especially sensitive categories of information. The Intelligence Authorization Act, on the other hand, the bill before us today, would make it a felony for officers or employees of the government to knowingly disclose classified information broadly defined without the government even having to prove any damage to national security.

In our briefing, I was convinced by the presentation that this "officers or employees of the government" includes Members of Congress. By the actions taken in this bill, Members of Congress will be subject to criminal charges if this category of properly classified information is revealed by them. Make no mistake, this provision marks the first time that Congress has placed the full force of criminal law behind the executive branch's classification system. The current Executive Order on classification of information at least has the virtue of specifically prohibiting classification of information in order to conceal violations of law, inefficiency or administrative error, or to prevent embarrassment to the government.

□ 1615

But the next President of the United States could change this prohibition and this leaks law would still be on the books. The Congress is foolish in my view, and that is a word I have never used here on the floor, to give a blank check to the executive branch for prosecutions in this important area.

I understand that the authors of the provision intend for it not to be used to target the President, but I see nothing to prevent reporters from being hauled in before grand juries and being forced to reveal their sources.

Furthermore, we do not each know how this leaks law would interact with criminal laws on conspiracy aiding and abetting solicitation and the like.

The Committee on the Judiciary should examine issues such as these and the impact on the first amendment issues before the Congress adopts such important legislation. We should remember how difficult it has been in our Nation's history to challenge official versions of the facts when it comes to national security matters, even for Members of Congress.

We all know that those outside powers are running a greater risk of prosecution under this statute than those on the inside. I do not think that this provision in the bill is in our national interest, and that is why I was not able to sign the conference report on this important legislation.

Again, I commend the distinguished chairman of the committee, the distinguished ranking member, and the marvelous staff for their service to the committee.

Mr. GOSS. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from New York (Mr. BOEHLERT), a senior member of the committee.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the conference report builds on the substantial work done in last year's authorization bill to institutionalize the use of competitive alternative analytical techniques by the Central Intelligence Agency. This action is intended to further guard against intelligence surprises and analytic complacency or "group think," while better preparing policy-making intelligence consumers to deal with the complexities of the post-Cold War international security environment.

Furthermore, the conference report provides the means to modernize the production mechanisms used by the CIA's Director of Intelligence to produce and disseminate its invaluable finished intelligence products in a more timely and secure manner. By promoting greater analytical interaction and timeliness, the conference report helps to ensure that intelligence consumers have the full range of tools necessary to make informed policy before the swiftest of events force them into a defensive crisis management posture, as too often has occurred in recent years.

I would like to mention that the committee has worked through this conference report, as we did in last year's report, to address the problem of the chronic shortage of trained expert linguists available to the intelligence community to exploit what is being clandestinely corrected.

Moreover, we have taken steps to promote greater interoperability between intelligence analysts of different agencies to further create synergies that will improve the quality of intelligence reporting.

Finally, I am pleased to note that this conference report will help the intelligence community to standardize and automate self-evaluative tools for promoting greater interaction between those who collect intelligence and those who determine its meaning and significance. In this way, collectors will be able to determine the value of what they are acquiring, and in instances where it is not so valuable, they can adjust their collection focus accordingly.

Mr. Speaker, I thank the gentleman from Florida (Chairman GOSS) and the gentleman from California (Mr. DIXON), the ranking member, for their leadership.

I urge adoption of this conference report.

Mr. DIXON. Mr. Speaker, I yield 3½ minutes to the gentleman from Indiana (Mr. ROEMER), a distinguished member of our committee.

Mr. ROEMER. Mr. Speaker, I thank my good friend from the State of California (Mr. DIXON), the ranking member, for yielding me the time.

Mr. Speaker, I want to associate myself with the gentleman from Florida (Chairman GOSS) and again our ranking member for the hard work they put in on this bill all year long, not just on the conference report.

I also want to say that they really strive hard to create an atmosphere of bipartisanship on that committee, and I salute them for their hard work with that, and also for the excellent professionalism we have on our staff.

Mr. Speaker, I rise in support of the Fiscal Year 2001 Intelligence Authorization Act. Although this conference report represents a funding level slightly below the President's request, I believe that it nevertheless sets about the right level of overall funding for intelligence activities next year.

I am pleased that the conferees have adopted language that urges the administration to submit requests to Congress for reallocation of funds to important initiatives, including language training and counterterrorism efforts.

During my travels in various Permanent Select Committee on Intelligence hearings, administration officials have expressed concern about the state of language capabilities of intelligence community personnel. I have found that all too often there are not enough people speaking the language native to the country in which they serve and too many of those who are not sufficiently proficient in that language.

I firmly believe that language proficiency is critical to the core mission of the intelligence community. Collectors, processors, and analyzers must have sufficient linguistic skills to meet the challenges posed by global targets.

I have, therefore, advocated relentlessly for the sufficient funding of language related initiatives. I am pleased that our actions will allow those men and women on the intelligence front line to have the language training and related resources needed to effectively do their jobs. We must continue on this mission.

Finally, the conference report sends a message that defeating terrorism is important to this Congress. Earlier this year, I met with the deputy director of Central Intelligence and discussed the challenges posed by international terrorists. One thing was clear from that meeting, as well as from oversight and legislative hearings. The United States must have a robust counterterrorism program.

I am pleased that the conferees have chosen to fully fund the President's request for counterterrorism activities. We would welcome proposals for the reallocation of funds to efforts in this critical area.

I again thank the chairman and the ranking member.

Mr. GOSS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from New Hampshire (Mr. BASS), a man who keeps our budget check working carefully for the committee.

Mr. BASS. Mr. Speaker, I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, I rise in support of the conference report for the Intelligence Authorization Act for Fiscal Year 2001.

There are many important aspects of this report, but I thought I would use my time to address a concern to all of us, especially today, the scourge of terrorism.

The bombings of our embassies in Kenya and Tanzania brought the Usama Bin Laden organization to the forefront of terrorist threats to U.S. interests, although numerous other terrorist groups continue to plague us and put American citizens at risk.

Now, just this morning, we learned of what appears to have been a very tragic attack on an American destroyer, the U.S.S. *Cole*, off Yemen that has resulted in the loss of American lives. The committee, together with its counterpart in the other body, understands the critical need to be able to fight back. The *Cole* incident yet again, Mr. Speaker, reminds us of the importance of good intelligence in preventing these kinds of crises and, as in the case of this one, bringing the perpetrators to justice.

The Intelligence Oversight committees are charged, among other things, with overseeing the budgets, programs, and activities of the various counterterrorism elements of the intelligence committee. And I submit, Mr. Speaker, that our ability to fight back and, more importantly, to prevent terrorist attacks from occurring at all is robust and growing. But these capabilities, especially those involving the prevention mission, need constant attention, as the *Cole* incident reminds us.

The millennium celebrations around the world, which are a time of great risk for us all, proved that our counterterrorism professionals were ready and able to protect and defend. I am proud to say, Mr. Speaker, that the intelligence community has time and time again saved lives and secured the interests of Americans and their allies. This arduous task consumes a significant amount of limited resources, but I would find it hard to believe that any responsible person could deny that this is money well spent.

We on the Permanent Select Committee on Intelligence are dedicated to ensuring that the intelligence community has adequate resources and is well prepared to phase down the Usama Bin Ladens of this world.

While we are satisfied that the Permanent Select Committee on Intelligence has generally performed well against the terrorist target, we have learned through the course of our nor-

mal oversight work that much more can and needs to be done, especially as terrorists attempt to acquire chemical and biological weapons to pursue their shameful war against society. This conference report will enhance our ability to defend ourselves against terrorists through a variety of means.

I just want to say that our chairman and ranking minority member have done a wonderful job leading this committee in a bipartisan fashion and I want to thank them for their efforts. I urge adoption of this conference committee report.

Mr. GOSS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Nevada (Mr. GIBBONS), our connection to the Committee on Armed Services.

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, I rise in strong support of this conference report.

I would first like to commend the gentleman from Florida (Chairman GOSS) for his stewardship through the process. I would also like to recognize the gentleman from California (Mr. DIXON), the ranking member, for his contributions to the committee's efforts as well.

Mr. Speaker, this conference report provides very important investments for the intelligence community, including enhancements in many areas that are of specific interest to the military. I wish we could do more, especially given the ever-increasing requirements that are being placed on intelligence to protect our troops who have been sent all over the world for every sort of mission.

One of the most important issues facing the intelligence community is the modernization of the National Security Agency. This agency, which supplies signal intelligence to all levels of government, from the most senior policymaker to the pilot in the cockpit, is in many ways the linchpin of our warning capability. But today, this agency is about to be overtaken by technology and by potential adversaries who are increasingly sophisticated.

The NSA, in response, is undergoing a unique transition, the success of which will affect the overall capabilities of the intelligence community for the next several decades. The Director of Central Intelligence has made the modernization of NSA his number one priority.

The good news is that the NSA director, Lieutenant General Mike Hayden, is committed to leading his agency to overcome the modernization challenge. Those challenges are great. They involve overhauling every aspect of the NSA, from technical collection capabilities, to acquisition programs and personnel structure.

General Hayden must be successful. But in order to make the needed changes, he needs certain tools. Perhaps the most critical tool is the abil-

ity to move the right people into key positions in the Agency to affect change. Because of the unique and serious situation at NSA, I am pleased that this conference report gives the NSA director that ability through the NSA Voluntary Separation Act. This provision permits the establishment of an early retirement and voluntary separation program for all NSA employees, including the most senior levels of management. With this authority, it is anticipated that the director will be able to accomplish the personnel changes and management changes necessary to see the process of NSA modernization through to completion. General Hayden has our support in these efforts.

I urge all my colleagues to support this conference report.

Mr. DIXON. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. CONYERS), the distinguished ranking member of the House Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I thank the ranking member of the committee (Mr. DIXON) for yielding me the time.

Mr. Speaker, I am delighted to be here to find out if anybody ever got the letter that me and the gentleman from Illinois (Mr. HYDE) sent to the gentleman from Florida (Chairman GOSS) about the fact that criminal matters fall under title 18 of the U.S. Code and is within the total jurisdiction of the Committee on the Judiciary. Did anybody ever find out about that letter?

Well, we were trying to get some jurisdiction for this part of the bill that deals with making it a felony for a Government employee to disclose any and all information that the Government says is classified.

The history of this provision, I say to members of the committee, is that it was dropped quietly into a Senate version and has never had hearings in the House or the Senate, no hearings on a provision that has the exclusive jurisdiction of the Committee on the Judiciary. And we did not even get a response from the letter that the chairman of the Committee on the Judiciary sent the gentleman from Florida (Chairman GOSS).

And so, why are we doing this?

□ 1630

There are a number of theories about this. Members may find out by examining what would have happened had this been the law for the last 30 years:

One, the scope of the government's activities in Vietnam through the Pentagon papers would have resulted in prosecutions.

Two, the CIA's complicity in the overthrow of Salvador Allende in Chile.

Three, the Nixon administration's support of Pakistan in its 1971 war with India.

Four, the revelations about spying at U.S. laboratories.

Five, China's alleged military involvement with Pakistan and North Korea.

Six, basic information regarding the size of the CIA's annual budget.

See, the reason that we are doing it this sneaky way is because it will scare the bejesus out of whistle blowers and they will be able to be criminally punished by not sending this through the Committee on the Judiciary. I am not saying that Judiciary might not have passed this out. We do our share of things that I do not agree with, either. But this super sneaky way of trying to do it does not reflect any credit on the Permanent Select Committee on Intelligence.

I resent this very much the way you have dismissed the Committee on the Judiciary. I think this is a travesty. And, by the way, The New York Times, The Washington Times, the Los Angeles Times, the San Francisco Chronicle, The Austin American Statesman and other papers have all exposed this for what it is. I am shocked that this radical departure of the way we legislate would be applauded on the floor, tremendous congratulations for a bipartisan effort. Well, everything bipartisan is not always right, and here is a perfect example of it.

Mr. GOSS. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. LAHOOD).

(Mr. LAHOOD asked and was given permission to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, notwithstanding what the gentleman from Michigan just said, I am standing on this side of the well so I can say to all the Members of the House, this is one of the most bipartisan committees I have ever served on, and I serve on the Committee on Agriculture which is a bipartisan committee. This is one of the best, thanks to the leadership of the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DIXON). The staff people work together, and we work closely with the people from the CIA and the defense intelligence community and all the intelligence community because we care about the people who are out there around the world putting their lives on the line, in dark corners of the world.

This is a bipartisan effort. People should be supporting this bill, notwithstanding what the gentleman from Michigan said. And I have a great deal of respect for him. This is a bipartisan bill. Every Member should support it. I know we are going to hear opposition to it.

I want to dedicate just a couple of minutes to the human side, the human program of intelligence. It is often portrayed in books and movies. It is the spy versus spy story, the world's second oldest profession. I am glad to say that America has some excellent spies, and I am proud of what the conference report does to make them more productive and effective. And I am sorry, this is not a laughing matter, this is an important matter. After what has happened in the world today, I hope Members will think twice about supporting

this bill. This is not a humorous matter. We are talking about people around the world who are offering up their lives in public service for all of us so that we can have a safe world.

Anyone who reads the newspapers and watches the television, if anybody flips over to CNN right now will see reports on there about what happened. Five Americans were killed today and some people believe it was a terrorist attack. So this is important legislation. Criminal organizations use ever more sophistication to infiltrate our financial institutions and expand markets for illegal narcotics. The proliferation of nuclear, chemical and biological weapons remains a top-priority concern of all civilized countries. The cyberthreat becomes more and more real and ominous to Americans as our economy and our well-being become ever more dependent on computers and communication networks.

What these threats have in common is the human factor. What this conference report does for our spies, the anonymous defenders of the United States, for one it will provide more funding for their overseas operations. And it does so in two ways. It provides continued but overdue increases in the budget for human operations; and, number two, it ensures that the funds that we allocate for these operations arrive in tact to those operating overseas.

I encourage and advise all Members to vote for this bill today to send a strong message to the intelligence community all over the world and to public servants who offer up their lives on behalf of all of us that we stand behind them and with them on their important work.

Mr. DIXON. Mr. Speaker, I yield 3½ minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today to commend the conferees, especially the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DIXON), for working together to include in this conference report the Nazi War Crimes and Japanese Imperial Government Disclosure Act which I authored along with the gentleman from California (Mr. HORN) and Senator DEWINE. This provision will extend the original Nazi War Crimes Disclosure Act for 3 additional years while also adding responsibilities to the Interagency Working Group's work as it pertains to war crimes committed by the Japanese Imperial Government during World War II.

In 1998, President Clinton signed into law the original Nazi War Crimes Disclosure Act that established a process for the declassification of documents maintained by government agencies about Nazi war criminals and its allies. To date, the Interagency Working Group has reviewed more than 6 million pages of material and has released

over 1.5 million pages of previously classified documents to the public regarding World War II. Already, significant new information about World War II war crimes has been revealed in the more than 400,000 Office of Strategic Services records released this past June by the Interagency Working Group at the National Archives. However, even with the diligent work the Interagency Working Group has accomplished, there is an overwhelming amount of material that still needs to be reviewed and declassified.

This success has also been achieved even though the Congress has not appropriated funds for the support of the Interagency Working Group or for the activities carried out by the various agencies that hold the records. Without the resources to review the materials being released, it will be years before we truly understand the significance of what is contained in the declassified materials.

This conference report is a step forward in providing the Interagency Working Group the authority and support it needs to complete the tremendous tasks before them. I still have some concerns regarding the language concerning the cooperation of U.S. Government agencies with the Interagency Working Group and the ability of the Interagency Working Group to review the more than 18 million pages of Japanese Imperial Government information that the U.S. returned to Japan after World War II. However, I support this conference report before us and hope that the chairman and ranking member will work with me next year to clarify this language and intent of this legislation so as to further the success of the Interagency Working Group.

Mr. Speaker, I would like to clarify one point concerning title 8 of this bill. Is it the gentleman's understanding that this section in no way affects the authority of the Interagency Working Group established under Public Law 105-246, the Nazi War Crimes Disclosure Act of 1998, with regard to the ability of the Interagency Working Group to retrieve documents from U.S. Government agencies?

Mr. GOSS. Mr. Speaker, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Florida.

Mr. GOSS. Yes, it is.

Mrs. MALONEY of New York. Further, is it the gentleman's understanding that the exceptions enumerated in that act are in no way affected by the bill before us today?

Mr. GOSS. That is correct.

Mrs. MALONEY of New York. I thank the gentleman.

Mr. GOSS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentlewoman from New Mexico (Mrs. WILSON), a very valued member of our committee, given all the events in that part of the world.

Mrs. WILSON. Mr. Speaker, I want to thank the chairman and the ranking



member for their work on this bill. I am the junior member of the Permanent Select Committee on Intelligence, and I have found it to be a pleasure to work there because of the workmanlike and bipartisan and professional approach to oversight in the intelligence community. We have a wonderful staff and a focus on what this country needs in a quiet way.

Intelligence is the eyes and ears of our national security. Events like those we have seen today bring that home more closely than we usually see in the day-to-day events of intelligence. It is an important part of keeping our Nation strong and free. And it is more and more difficult because of the diversity of threats that we face as a Nation. We have more data from which to derive information and that creates a tremendous challenge for our intelligence agencies.

I wanted to particularly thank the chairman and the ranking member for what this bill does for counterintelligence. It strengthens counterintelligence in a number of ways, particularly giving more tools to the agencies that need them in order to counter threats from other intelligence agencies.

I also want to commend them on their oversight of our counterintelligence program in this country. The committee played a quiet role in the creation of the NNSA which John Gordon is now the capable head of. And this committee, I think, brought some common sense and some balance to what we needed to do to protect our Nation's secrets while not damaging that which we were trying to protect. I appreciate the committee's point of view, its common sense approach, its balance and its competence in this area.

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I thank the chairman and the ranking member and all members of the committee for their service.

It pains me greatly as a former member of the CIA, as a former United States attorney, as a Member of this body, though, to rise today in opposition to this bill. It pains me greatly not only on the substance of what is contained in this bill, which is by and large very good, solid legislation, properly reflecting the tremendous work that our intelligence officials in this country and all over the world perform, giving them additional tools with which to perform those duties, but it also pains me because of the process whereby I feel compelled to come before this body and oppose this important piece of legislation.

This legislation contains a provision that will create, make no mistake about it, with not one day of hearings, without one moment of public debate, without one witness, an official secrets act. For those who do not know what an official secrets act is, it is some-

thing that we have never had in this country. It has been broached many times, particularly in the Cold War era. But our regard for constitutional civil liberties, our regard for the first amendment, and our belief that before the government can put somebody in jail for following their conscience and disclosing information showing government wrongdoing, the government must shoulder a heavy burden, has in every case in which an effort has been made to enact an official secrets act beaten back those efforts.

Yet today we stand here with such a provision amending title 18, the criminal code, that would create an official secrets act. That would mean that any individual who discloses information that is classified by the executive branch can be thrown in jail for up to 3 years for every disclosure.

Currently, if an individual discloses certain categories of important national security information, he can and should be prosecuted. It is not as if these people who harm our Nation's security are not going unprosecuted. They are.

□ 1645

This provision, though, would silence whistleblowers in a way that has never before come before this body and which has never before been enacted. This is about to be done without the Committee on the Judiciary even having been given the courtesy to look at this legislation, to assess its first amendment problems; without one hearing, without one witness, without one moment of debate.

This is very similar, Mr. Speaker, to what happened 2 years ago on this same bill. The government was granted extensive expansion of wiretapping authority without one witness, without one debate, without one day of hearing. It was slipped into this bill 2 years ago.

I urge my colleagues to vote against this bill so that it can go back to the drawing board and these particular provisions that have no business being in this bill without having gone through the Committee on the Judiciary can be properly assessed and their full constitutional ramifications properly studied.

One can only pick up the paper almost every day and see examples, whether it is Bill Gertz or Gary Aldrich or others, of people who have let the public know important information who would be thrown in jail under a provision that is about to pass without one day of hearing, without one witness, without even the Committee on the Judiciary having been given the courtesy to assess it.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), a member of the Committee on Armed Services.

Mr. CUNNINGHAM. Mr. Speaker, I serve on the Subcommittee on Defense of the Committee on Appropriations, and it is one of the most bipartisan

committees that I serve on. I appreciate the bipartisanship of the gentleman from California (Mr. DIXON) and the gentleman from Florida (Mr. GOSS) as well. I think the Members on both sides of the aisle will agree that I think we have a long way to go and a lot of work to do. I think this is a good bill. I think hard work has been done on it, but I think there is also agreement in areas that make up intelligence and the agencies, a strong military.

While we may have the strongest military in the world, our national readiness rates are very, very low in many cases. That hurts our intelligence capability. Where our military is strung out for nation-building quite often, according to George Tenet, those assets were spread so very thin that it made it almost impossible to track Osama bin Laden because we were engaged in those events. Our State Department, both under Republicans and Democrats, I think all that needs to be done is take a look at what happened to Enrique Camarena in the drug wars and the lack of support for our agents under the State Department, to Rambouillet, to hitting the Chinese Embassy. I also think it is wrong that we had technology that we were developing to defeat a Soviet missile. I cannot say what that missile is; but when we gained access to that particular missile, we found out our defensive system would not work.

We spent nearly a billion dollars to build that defensive system that would not work. And the reengineering of that, we now have a system at very low cost that will defeat that Soviet system, and that is why I think many of us got so concerned when Loral with Bernie Schwartz gave up second and tertiary missile boots to China, they gave up MRVing capability which we, Intelligence, knew that the W-88 warhead had already been stolen by the Chinese, and then the targeting device. The CIA briefed many of us that North Korea was many years away from striking the United States with a nuclear weapon. They can now hit the United States with a Taepo Dong-2 missile. That should concern all of us, and I think we have a long way to go to secure the national security and intelligence forces of our country.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman from Florida (Mr. GOSS) for yielding me this time.

Mr. Speaker, I rise in support of the conference report, and I wanted to respond to my good friend, the gentleman from Georgia (Mr. BARR), and the gentleman from Michigan (Mr. CONYERS) as well, on a couple of issues.

First of all, this provision simply says that we are going to take some action to prohibit the unauthorized disclosure of classified information by government officials. Now, a complaint has been made that, well, it should



have gone through the Committee on the Judiciary. I am a member of the Committee on the Judiciary, and I guard our jurisdiction very carefully; but, in fact, this was attached by the Senate, who held hearings on this, who heard witnesses and who debated this, and this is a normal process. Whenever they attach a provision, we in the House have to consider it. We have to look at this, and from the standpoint of the Committee on the Judiciary, I believe that this is carefully crafted.

Now, the argument is made that this is going to silence whistle-blowers. Well, I do not think that is true at all. First of all, whistle-blowers are protected under the current law. Secondly, whistle-blowers who have a concern about whether information is properly classified or there is a concern about the agency that they are working for, can come to Congress. That is our job. The oversight committee would hold hearings on it, would deal with that issue, would protect the whistle-blower. They are protected under law and under the interests of Congress, and so I do not think that should be a concern.

The gentleman from Georgia (Mr. BARR) raised the question that we are going to criminalize conduct that historically has not been criminalized and, in fact, what we are doing is to say that if an employee of the United States, this does not pertain to the news media, but if an employee of the United States has possession of classified material and then discloses it to someone who is not authorized to receive that material, then they can be prosecuted.

But there is something more in there that was left out of the presentation of the gentleman from Georgia (Mr. BARR), and that is they must have done it knowingly and willfully, and that is the intent portion of the burden of proof that will be on the government. So it does not prosecute mistakes, someone who accidentally or inadvertently discloses information. They have to intentionally have done that, knowingly have done that.

So I think it is well drafted, and I urge my colleagues to support this well-drafted protection of classified information.

Mr. DIXON. Mr. Speaker, I yield 2 minutes to my distinguished friend, the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I am glad that the bill contains my amendment to investigate the effects of espionage on American business and industry and jobs. I am also glad at least we got some report language on China. It should have been in the bill.

There is not enough anatomy in either of these bodies. Mr. Speaker, we have had independent counsels on Henry Cisneros and Monica Lewinsky. Now, look, Monica may be a threat to fidelity. She is not a threat to liberty.

We had a Chinese Red Army general who funneled cash to the Democrat Na-

tional Committee, and we will not even include the Traficant language as binding that says what is the extent on the national security. A Chinese missile, as we laugh, will not have exemption for one party or the other. A Chinese missile will hit all America. God Almighty. Last month's 1-month trade deficit was \$31 billion. At 1,000 jobs per billion, we lost 31,000 high-paying manufacturing jobs. If that were just put into highways, we would have created over a million jobs for 2 years.

What is wrong with us? Are we afraid of the politics of China? The American people are watching. The greatest threat to our national security is China, and they bought and spied and posed that great threat.

I am disappointed. The intelligence committee is our number one charge to secure America, secure that American peace. We are not doing that. I think we are gutless, and I yield back the fact that that should not have been in the report language as a wish; that should have been a commitment and a mandate by Congress to investigate this Chinese business.

Mr. DIXON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on balance this is a good conference report that has been brought together in a bipartisan way. I understand the ranking member of the Committee on the Judiciary. I raised in the conference his letter. I attempted to modify the language to make it more narrow. The fact is that the Senate would not yield on this issue. I disagree with that part of the bill because, one, it is the identification of leakers before they can ever be penalized. Increasing the penalty, to me, does not work. I certainly think that the House Committee on the Judiciary should look at this, and I will pledge my support to support legislation that in some way may either modify or mitigate the damage, if any, that has been done.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to again publicly thank the gentleman from California (Mr. DIXON) for being an extraordinary ranking member, reaching across so many times on complicated and sensitive matters and carrying a huge proportion of the load of the committee. I have a plan that would like to keep him there as ranking member. I realize that may not go entirely across the aisle.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. LEWIS), the vice chairman and critical link to the Committee on Appropriations.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, I very much appreciate my colleague, the gentleman from Florida (Mr. GOSS), for yielding me this time.

Mr. Speaker, I have a magnificent speech that has been prepared carefully

for this discussion today. I am not going to refer to the speech, but rather submit it.

In the meantime, Mr. Speaker, I want to express my deep appreciation to my colleague, the gentleman from California (Mr. DIXON), with whom it has been my privilege to work for many, many years in the State legislature as well as here. He has done a fantastic job, in my view, providing the kind of balance that we need that makes the work of this committee such a nonpartisan piece of work.

In turn, before coming to the committee, it had not been my privilege to know well the gentleman from Florida (Mr. GOSS). The gentleman from Florida (Mr. GOSS) is a person of fabulous background, but very unique experience in this subject area. He comes to our committee at a most important time in our history. The leadership he has provided for us is very important to the security interests of this country, at home and abroad, but especially of significance to those who care about freedom in the world.

The men and women who make up the personnel base of our intelligence community overall are fabulous people. They do wonderful work on our behalf. Most of it gets very, very little attention. From time to time, we have a problem where someone crosses the line, usually stupidly, sometimes overtly, and the work of the agency does come to public view. It oftentimes is of great disservice to this country. It is important, very important, that we secure those personnel who want to make sure that the work of the agencies take place as reflected in the direction of the law passed by the Congress.

I very much wanted to focus upon the comments of my colleague, the gentleman from Georgia (Mr. BARR). Let me say that whistle-blowers are protected within this bill and within the law. So long as they come forward with matters that are security matters about which they are concerned and they disclose them to people who are cleared to receive such information, they can carry forward their conscience and their responsibility as they would see fit.

□ 1700

There is no restriction there, and the law is very careful about that. I understand that lawyers, about presuming that only lawyers have these answers, but the committee has worked very carefully with the work done by the Senate, and I am comfortable with that work, as of that moment.

The work of this bill is very, very critical work. Because of some of these questions that are being raised, the votes today may be very important. I urge the Members of the body to realize how significant the work of this committee is and how important it is that they give it their full support, as well as their attention.

Mr. Speaker, I rise today to testify that this is a very fine piece of work

done by both bodies, carried forward in a most positive way by the leadership of both the ranking member and the chairman.

Mr. Speaker, this is my last year on the committee, and I want to express to our Chairman and to Mr. DIXON my sincerest thanks for their dedication in ensuring this nation has the intelligence capabilities critical to protecting our freedoms. It's not often thought of in these terms, but intelligence truly is our first line of defense, and the close, personal, working relationship Chairman GOSS and Mr. DIXON have, has made our jobs all the easier. I want to thank you both, and I believe this entire body owes you a great deal of gratitude.

Mr. Speaker, every year those of us who serve on the Intelligence Committee stand before this body to discuss the Intelligence Authorization bill. Because of very real national security issues, we cannot discuss the sensitive details of the bill. We simply have to ask our colleagues to "trust us" as we vote on the classified aspects of our intelligence agencies and activities. Mr. Speaker, let me assure you, and, most importantly, the American people, that each member of the committee takes that responsibility very seriously. The issues and debates we take up in committee about our intelligence programs are based solely on national security interests.

Partisan politics is not a function in the conduct of committee business. This has earned the Intelligence Committee the trust that is required. Mr. Speaker, while the Members deserve much for their efforts to oversee our Nation's intelligence organizations, I would be remiss in not making mention of the superb committee staff. The staff deals with some of the most difficult issues facing our country. They do tough work, in a tough environment, and we ask much of them. I thank each member of the Intelligence Committee staff for the support they provide, and more importantly, for what they do for America.

Mr. Speaker, a quick word about our magnificent intelligence community. It is a community of professionals who work in the back-ground and who don't get much credit, if any, for successfully accomplishing the difficult tasks they are asked to carry out. The men and women of the intelligence community often bear the full brunt of public criticism for the rare, but inevitable intelligence shortfall—after all "perfect knowledge" is a noble, but usually unobtainable, goal. So it is important that we, who know the details of the good work of this community, take every opportunity to thank them for their heroism publically.

We can't, for example, publically acknowledge the Central Intelligence Agency for an operation that might stop a planned terrorist attack, or the National Security Agency for providing the piece of information that might allow military commanders to locate critical targets, the National Imagery and Mapping Agency for providing the proof that a foreign nation is developing weapons of mass destruction, or the FBI for locating and removing a Russian listening device in the State Department conference room. These and the other intelligence organizations and the analysts who make sense of the myriad information stand watch for all Americans day in and day out. I thank them for the jobs they do, for the professionals that they are, and for the sacrifices they make every single day.

Finally, Mr. Speaker, I urge support for this conference report. Indeed it provides the intel-

ligence community with the resources it needs to carry out its mission, and it ensures that the American military forces deployed around the world have the best information resources we can provide them.

That is not to say that I think we have done enough. The world is not a safe place. There are truly bad actors in the world and, in fact, we may be living in a more dangerous and unstable world today than we faced during the cold war: This past week's events in the former Yugoslavia are example; the increase in terrorism—as, tragically, we saw again this morning in the Persian Gulf; the proliferation of inexpensive weapons of mass destruction that puts unbelievable destructive power in the hands of small nations and non-nation groups; the number of countries with nuclear weapons and the means to deliver them is increasing. These threats present tough information challenges for our intelligence community; challenges that must be met. We have to make sure our intelligence organizations are given the proper resources to successfully operate in this dangerous world.

This conference report provides adequate resources that should be seen as a down payment on keeping our intelligence community capable and viable in this dangerous world. But to protect our national security, we must resolve to invest more in our "intelligence first line of defense." I urge my colleagues to vote with me in support of this conference report.

Mr. GILMAN. Mr. Speaker, I am pleased to say I support subtitle B of this conference report regarding the Diplomatic Telecommunications Service. Along with the ranking democratic member of the International Relations Committee I wanted to clarify that section 322(a)(6)(C) does not include personnel requirements. It is our understanding that this provision does not require State Department personnel detailed or assigned to the DTS or DTSPD to be polygraphed.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the conference report.

The question was taken; the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BARR of Georgia. Mr. Speaker, I demand a recorded vote.

The SPEAKER pro tempore. The Chair will count. An insufficient number of Members have risen, a recorded vote is not ordered.

A recorded vote was refused.

So, the conference report was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4392, and the conference report just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### APPOINTMENT OF MEMBERS TO COMMITTEE TO ATTEND FUNERAL OF THE LATE HON. BRUCE F. VENTO

The SPEAKER pro tempore. Pursuant to House Resolution 618, the Chair announces the Speaker's appointment of the following Members of the House to the committee to attend the funeral of the late Bruce F. Vento:

Mr. OBERSTAR, Minnesota.  
Mr. HASTERT, Illinois.  
Mr. GEPHARDT, Missouri.  
Mr. BONIOR, Michigan.  
Mr. SABO, Minnesota.  
Mr. PETERSON, Minnesota.  
Mr. RAMSTAD, Minnesota.  
Mr. MINGE, Minnesota.  
Mr. GUTKNECHT, Minnesota.  
Mr. LUTHER, Minnesota.  
Mr. OBEY, Wisconsin.  
Mr. LAFALCE, New York.  
Mr. MARKEY, Massachusetts.  
Mr. KILDEE, Michigan.  
Mr. RAHALL, West Virginia.  
Mr. FROST, Texas.  
Mr. COYNE, Pennsylvania.  
Mr. HOYER, Maryland.  
Mr. KLECZKA, Wisconsin.  
Mr. KANJORSKI, Pennsylvania.  
Mr. LEWIS, Georgia.  
Mr. SAWYER, Ohio.  
Mr. MCDERMOTT, Washington.  
Mr. BARRETT, Wisconsin.  
Mr. HINCHEY, New York.  
Ms. EDDIE BERNICE JOHNSON, Texas.  
Mr. POMEROY, North Dakota.  
Mr. WATT, North Carolina.  
Ms. WOOLSEY, California.  
Mr. FARR, California.  
Mr. UNDERWOOD, Guam.  
Mr. BENTSEN, Texas.  
Ms. JACKSON-LEE, Texas.  
Mr. CUMMINGS, Maryland.  
Mr. KIND, Wisconsin.  
Ms. LEE, California.  
Mr. GONZALEZ, Texas.  
Mr. GARY MILLER, California.  
Mr. THOMPSON, California.  
Mr. UDALL, Colorado.  
Mr. UDALL, New Mexico.

#### LEGISLATIVE PROGRAM.

(Mr. FROST asked and was given permission to address the House for 1 minute.)

Mr. FROST. Mr. Speaker, I ask for this time to inquire about next week's schedule, and I yield to the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Mr. Speaker, I thank the gentleman for yielding to me.

I am very pleased to announce that the House has completed its legislative business for the week. The House will not be in session tomorrow.

The House will meet next week for legislative business on Tuesday, October 17, at 10:30 a.m. for morning hour, and at 12 noon for legislative business.

The House will consider a number of measures under suspension of the rules, a list of which will be distributed to Members' offices tomorrow.